

**JEFFREY B. SETNESS, ESQ.**  
Nevada State Bar No. 2820  
**FABIAN VANCOTT**  
601 South Tenth Street, Suite 204  
Las Vegas, Nevada 89101  
Telephone: (702) 930-5728  
Facsimile: (877) 898-1168  
E-mail: jsetness@fabianvancott.com

*Attorneys for Darlene Taylor McCord*

**ROBERT M. McCALLUM, ESQ.**  
Washington State Bar No. 16373  
Admitted *Pro Hac Vice*  
**LeSOURD & PATTEN, P.S.**  
600 University Street, Suite 2401  
Seattle, Washington 98101  
Telephone: (206) 357-5086  
Facsimile: (206) 223-1099  
E-mail: rmccallum@lesourd.com

*Attorneys for James Bert McCord*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**DARLENE TAYLOR McCORD, and**  
**JAMES BERT McCORD**

**Defendant.**

**CASE NO. 2:13-CR-354-JCM-PAL**

**DEFENDANT DARLENE McCORD**  
**& JAMES McCORD'S JOINT**  
**MOTION FOR LEAVE TO FILE A**  
**SUR-REPLY TO GOVERNMENT'S**  
**REPLY FILED ON NOVEMBER 27,**  
**2017 (DOC. NO. 93)**

COME NOW defendant DARLENE TAYLOR McCORD, by and through her  
counsel Jeffrey B. Setness of the law firm of Fabian VanCott, and JAMES BERT  
McCORD, by and through his counsel Robert M. McCallum of the law firm of LeSourd &  
Patten P.S., and hereby move this Court for leave to file a sur-reply to Government's  
Reply filed on November 27, 2017 (Doc. No. 93) because the multitude of issues raised by

1 the government in their reply should be addressed in writing by the defendants so that the  
2 Court can be fully apprised in advance of the hearing which is scheduled for January 29,  
3 2018.

4 **DATED this 4<sup>th</sup> day of December 2017. FABIAN VANCOTT**

5 **By: /s/ Jeffrey B. Setness**

6 **JEFFREY B. SETNESS, ESQ.**

*Attorneys for Darlene Taylor McCord*

7 **LeSOURD & PATTEN P.S.**

8 **By: /s/ Robert M. McCallum**


9 **ROBERT M. McCALLUM, ESQ.**

*Attorneys for James Bert McCord*

10  
11 **ORDER**

12 **BASED UPON THE FOREGOING AND GOOD CAUSE APPEARING, IT IS**  
13 **ORDERED** that the defendants must file their Sur-Reply to Government's Reply Filed on  
14 November 27, 2017 (Doc. No. 93) by December 19, 2017.

15 **DATED December 6, 2017.**

16   
17 **JAMES C. MAHAN**

**UNITED STATES DISTRICT JUDGE**

**CERTIFICATE OF SERVICE**

In accordance with Rule 49(c) of the Federal Rules of Criminal Procedure and Rule 47-11 of the Local Rules of Practice of the United States District Court for the District of Nevada, I certify that I am an employee of FABIAN VANCOTT and that on this 4<sup>th</sup> day of December 2017, I did cause a true copy of:

**DEFENDANT DARLENE McCORD & JAMES MCCORD'S JOINT MOTION  
FOR LEAVE TO FILE A SUR-REPLY TO GOVERNMENT'S REPLY FILED ON  
NOVEMBER 27, 2017 (DOC. NO. 93)**

to be served via electronic service by the U.S. District Court CM/ECF system to the parties on the Electronic Filing System in this action.

By: /s/ Sara M. Adams  
An employee of  
FABIAN VANCOTT